

Licensing Act 2003
London Borough of Bromley

Guidance on suggested conditions when applying for a Premises Licence or Club Premises Certificate

When you make an application for a new licence (Premises Licence or a Club Premises Certificate) you will need to complete an application form.

In part P of that form (Operating Schedule) you will be asked to show how you will promote the 4 licensing objectives, which are to

1. Prevent crime & disorder
2. Prevent public nuisance
3. Protect public safety
4. Protect children from harm

What you put on that form under each of those headings will be included in your licence as a condition.

When your application is being considered by the Council, the Responsible Authorities eg Police, and local residents / residents associations, they will look at the Operating Schedule and if they are not satisfied with what you are proposing they may object.

To help you complete the Operating Schedule the Licensing Team have prepared this guide with suggested wordings for conditions that you may wish to include.

You only need to include those conditions that are relevant to the type of business you are operating; you do not need to include all the suggested conditions.

If you need any further advice please contact the Licensing Team on

Telephone 0208 313 4218

Email licensing@bromley.gov.uk

Licensing Objective - Crime and Disorder

CCTV

1. The CCTV cameras/system must be in working condition, in use and recording at all times that licensable activities are taking place. The system must be maintained to ensure it is always fully operational. The images recorded must be of good evidential standard, allow for facial recognition of suspects, be able to record in all lighting conditions and be capable of being downloaded and supplied on request to either an Authorised Officer of the Council or a Metropolitan Police Officer. The recordings should be kept for a minimum of 31 days.

Note

2. *this is the lower standard of CCTV. Depending on the location, size of operation, type of premises, Police might insist on a higher NSI - NACOSS Gold standard*

3. **NACOSS Gold standard**

4. The premises shall have an approved, effective and well managed CCTV system installed by an NS1 - Nacoss Gold Standard / SSAIB registered installer in accordance with NACP 20 and shall be capable of supplying images in all lighting conditions. The installed system shall be compliant with the requirements of the Data Protection Act 1998 and the licensee shall be the data controller for any images caught on the system and register and notify the Information Commissioners Office.

The system installed shall be subject to a regular maintenance contract as stipulated by the installer, have the capability to download images on request of a lawful, relevant authority by a responsible staff member. A responsible staff member must be present at all times to be able to provide to any relevant authority on request images necessary for investigating or preventing crime or apprehending or prosecuting an offender.

5. All images shall be kept on a secure data base for a minimum of 31 days.

Entry Times

6. There shall be no new admissions of the public after XX hours on any night.

Staffing

7. 4. The Designated Premises Supervisor or a personal licence holder must be on the licensed that part of the premises (as indicated on the approved plans of the premises) whenever alcohol is sold.
8. 5. That a minimum of XX staff members are within the licensable area of the premises (as indicated on the approved plans of the premises) whenever alcohol is sold .

Draft Guidance on suggested conditions

9. The premises shall have no fewer than XX SIA Registered Door supervisors whenever licensable activities are taking place on a XX or XXX night or whenever any pre-booked event takes place. All Door Supervisors must sign a register when performing duties at the premises. This register is to contain full names, SIA badge numbers and contact details of that person. The register must be made available to Police or Council Officers on request.
10. That staff shall be required to wear badges which should include their full name and title, in order to assist Council Licensing Officers and the Police identify persons working in the premises.

Searching Policy

11. From XX hours on any evening that the premises are in use under this Licence there shall be a searching policy in place. This policy shall be lodged with the licensing authority and is subject to police approval.

Signage

12. Clear signage shall be displayed at all entrances to the premises stating that the premises operates a zero tolerance policy and that all patrons may be subject to a personal search by a clearly identified member of staff on entry, re entry and at any time whilst they are on the premises. Failure to comply with a request to be searched will result in a refusal of entry or immediate ejection from the premises. In a situation where the patrons are found to be in possession of drugs or offensive weapons this information must be passed to the Police at the earliest opportunity.

Training and policies

13. That all staff receive training in their roles and responsibilities under the Licensing Act 2003, that the training is repeated every x months, that records relating to this training are kept and that those records are made available to Police or Council Officers on request
14. That the premises licence holder has in place written policies to deal with the sale and supply of alcohol (including underage and to drunks), disorder and violence, drugs, and general crime reduction.
15. In addition an incident log for all incidents is to be kept and maintained. This log must be available to Police or Council Officers on request.

Off sales.

16. Alcohol may only be sold in sealed containers for consumption off the premises.

Draft Guidance on suggested conditions

Licensing Objective - Prevent public nuisance

17. If regulated entertainment is to be provided then an in-line noise limitation device should be employed which is set & sealed to satisfaction of the Local Authority (inaudible within nearest residential property).
18. All doors and windows to remain closed whilst regulated entertainment is taking place (except to allow access and egress).
19. The external drinking areas will not be used after 11pm and no live or recorded music is to be provided outside.
20. The lobby doors at the premises shall be kept closed when regulated entertainment is taking place (except for access and egress).
21. Noise and vibration shall not be audible outside the premises
22. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between **(23.00)** hours and **(08.00)** hours.

Smoking Phrases (application to vary condition of use of outdoor area)

23. Patron's will have no use of the garden area after 2300 hours except for the use of the designated smoking area which will only be used by/for smokers and smoking.
24. No patio heaters or similar to be used after 2300 hours
25. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
26. Consideration should be given that if additional lighting is to be provided this does not cause a nuisance to neighbouring properties.

For 'One Off' Large Music Events

27. A noise management plan shall be submitted to the Licensing Authority at least 28 days prior to the event and adhered to during the course of the event.

The locations and directions of any staging must be shown on a plan as part of the noise management plan.

The MNL (Music noise level: the LAEQ of the music noise measured at a particular location) should not exceed the background noise level by more than 15dB(A) measured 1 meter from the façade of any residential premises over a 15 minute period.

Draft Guidance on suggested conditions

The 15 minute monitoring periods are to be taken over exact quarters synchronised with the current time (Eg. :00 to :15, :15 to :30, 30: to :45, :45 to :00 etc)

The music level shall not exceed a C-Weighted limit up to and no more than 70dB(c) in either of the 63Hz or 125hz octave frequency bands.

28.A letter to be sent by the event organisers to local residents whom may be reasonably affected by music from the event. The residents to be covered, to be decided in advance with the local authority as part of the noise management plan, the letter will advertise the timings of regulated entertainment, and include an event contact and the Local Authority out of hours noise service.

29. Licensing Objective - Protection of Children from Harm

30. A 'challenge 25 scheme' must be implemented and maintained, whereby any person that appears under 25 years of age has to prove they are over 18 by providing identification by means of Passport, Photographic Identity drivers licence or identification card approved by the proof of age standards scheme (PASS) and bearing the PASS logo.
31. A refusal book or a suitable software program used in conjunction with the electronic till must be used at the premises for all age restricted products. The information contained within shall be provided in a legible form and be made available to the Police or Council Officers on request